

# PATENT COOPERATION TREATY

EO/US  
PCT/US98/20933

**PCT**

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

United States Patent and Trademark  
Office  
(Box PCT)  
Crystal Plaza 2  
Washington, DC 20231  
ÉTATS-UNIS D'AMÉRIQUE

in its capacity as elected Office

Date of mailing:

22 April 1999 (22.04.99)

International application No.:

PCT/US98/20933

Applicant's or agent's file reference:

M6185 HST/CC

International filing date:

13 October 1998 (13.10.98)

Priority date:

14 October 1997 (14.10.97)

Applicant:

GOODREAU, Bruce, H. et al

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International preliminary Examining Authority on:

03 February 1999 (03.02.99)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer:

J. Zahra

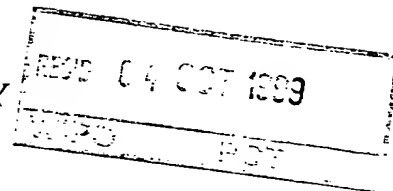
Telephone No.: (41-22) 338.83.38

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



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Applicant's or agent's file reference M6185 HST/CC	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US98/20933	International filing date (day/month/year) 13 OCTOBER 1998	Priority date (day/month/year) 14 OCTOBER 1997
International Patent Classification (IPC) or national classification and IPC Please See Supplemental Sheet.		
Applicant HENKEL CORPORATION		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  03 FEBRUARY 1999	Date of completion of this report  16 JULY 1999
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer  PETER D. MULCAHY
Facsimile No. (703) 305-3230	Telephone No. (703) 308-2351

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/20933

**I. Basis of the report**

1. This report has been drawn on the basis of *(Substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments):*

- ☐ the international application as originally filed.
- ☒ the description, pages 1-29 , as originally filed.  
pages NONE , filed with the demand.  
pages NONE , filed with the letter of \_\_\_\_\_.  
pages \_\_\_\_\_ , filed with the letter of \_\_\_\_\_.
- ☒ the claims, Nos. 1-20 , as originally filed.  
Nos. NONE , as amended under Article 19.  
Nos. NONE , filed with the demand.  
Nos. NONE , filed with the letter of \_\_\_\_\_.  
Nos. \_\_\_\_\_ , filed with the letter of \_\_\_\_\_.
- ☒ the drawings, sheets/fig none , as originally filed.  
sheets/fig NONE , filed with the demand.  
sheets/fig NONE , filed with the letter of \_\_\_\_\_.  
sheets/fig \_\_\_\_\_ , filed with the letter of \_\_\_\_\_.

2. The amendments have resulted in the cancellation of:

- ☒ the description, pages none .
- ☒ the claims, Nos. none .
- ☒ the drawings, sheets/fig none .

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the ~~Supplemental Box~~ Additional observations below (Rule 70.2(c)).

4. Additional observations, if necessary:

NONE

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/20933

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. STATEMENT**

Novelty (N)	Claims <u>none</u>	YES
	Claims <u>1-20</u>	NO
Inventive Step (IS)	Claims <u>none</u>	YES
	Claims <u>1-20</u>	NO
Industrial Applicability (IA)	Claims <u>1-20</u>	YES
	Claims <u>none</u>	NO

**2. CITATIONS AND EXPLANATIONS**

Claims 1-20 lack novelty under PCT Article 33(2) as being anticipated by LINDERT et al.

The LINDERT et al. patent shows coating metal surfaces with an adherent solid coating composition which can be the same aqueous liquid composition as claimed, see column 3, lines 45+ and column 6, lines 60+. In view of this disclosure the claims lack novelty.

Claims 1-20 lack an inventive step under PCT Article 33(3) as being obvious over LINDERT et al.

The LINDERT et al. patent shows coating metal surfaces with an adherent solid coating composition which can be the same aqueous liquid composition as claimed, see column 3, lines 45+ and column 6, lines 60+. In the event that one would not immediately envisage the claimed invention the invention lacks an inventive step because each of the claimed steps and ingredients are disclosed in the patent and suggested to be used in the combination as claimed.

----- NEW CITATIONS -----  
NONE

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/20933

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

**CLASSIFICATION:**

The International Patent Classification (IPC) and/or the National classification are as listed below:

IPC(6): B05D 3/02, 3/00, 1/18; C08J 3/28, 51/00; C23C 22/00, 22/07 and US Cl.: 427/327, 388.4, 435, 354; 148/251, 253; 524/547, 417, 430